

**Jeopardy Assessment**  
for the Proposed Incidental Taking Authorization  
of the Butler's Garter Snake

Living Word High School - Athletic Facilities  
Washington County, Wisconsin

**Background**

The state-threatened Butler's garter snake is the smallest of the five Wisconsin garter snake species. Both sexes of this species reach maturity during their second full year and females deliver 4-19 live-born young in mid to late summer. This species requires a moderately open to open canopy habitat, preferably with both upland and wetland habitat. Butler's naturally hibernate in open-canopy wetlands (sedge meadows, fringes of cattail marshes, etc.) but are also known to occupy sites that provide other means for successful overwintering (i.e. old landfills where conditions provide access below the frostline and where adequate moisture exists).

The Butler's garter snake is a colonial species that is restricted to several southeastern counties in Wisconsin. There are currently 30 locations where this species has been documented from 1973 to present. Twenty-five of these records have been documented since 1990. Most sites that have been moderately to heavily surveyed for Butler's show a healthy age-class structure, indicating that regular recruitment is occurring on those sites. Surveys and monitoring since its listing in 1997 reveal that Butler's often occur in very large numbers on relatively small sites (i.e. 400+ snakes detected on a 20-acre site with less than 50% suitable [open canopy] habitat). Three intensive survey/monitoring efforts associated with mitigation for incidental take to date have involved large numbers of Butler's garter snakes (over 1200 Butler's on three isolated sites along Lincoln Creek within the City of Milwaukee). Surveys have also demonstrated that Butler's can occur, sometimes in high numbers, on highly disturbed and degraded sites. One example is the location of 62 Butler's during one survey of a brownfield site in the industrial heart of Milwaukee. Most of the snakes were found under pieces of broken concrete in a large, abandoned, gravel parking lot that was adjacent to a small wetland.

In Summary, the Butler's garter snake is a fast-maturing species with potentially high annual recruitment. It can sustain populations on highly disturbed sites if the disturbance factors are eliminated and suitable wetlands are present on or adjacent to these sites. Since 1997, most sites where Butler's were suspected to occur, based on proximity to known range and habitat and which were subsequently surveyed, verified their presence.

**Jeopardy Assessment**

The proposed Athletic Facilities for the Living Word High School project involves suitable Butler's gartersnake habitat that is part of a significant conservation (Tier 3) site. This project may result in very minimal incidental take of the Butler's gartersnake as it proposes to impact a modest amount of suitable wetland habitat through construction of an access road. To minimize take, conservation measures are required as follows:

1. Fence off the small wetland corridor where the access road will be constructed. This is required to keep snakes from accessing the site and losses would be limited to the small road footprint.
2. Require habitat restoration to mitigate for the loss of suitable habitat as required by the Butler's Gartersnake Conservation Strategy.
3. Require the restoration of a 75-foot upland buffer along the drainage way wetland habitat on the school's portion of the habitat patch, also required per the Conservation Strategy.

4. Protect all suitable habitats on site that is associated with the Tier 3 habitat patch in perpetuity through a conservation easement. Management of this habitat is required per the conservation strategy.

The department has determined that the proposed project is not likely to jeopardize the continued existence or recovery of the state population of these snakes or the whole plant-animal community of which they are a part.